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GOVERNOR

STATE OF ALABAMA
Alabama Department of Corrections

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RICHARD F. ALLEN
COMMISSIONER

May 1, 2007

**ADMINISTRATIVE REGULATION
NUMBER** 455

OPR: CENTRAL RECORDS DIVISION

SEX OFFENDER RELEASE NOTIFICATION

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation establishes responsibilities, policies, and procedures for Sex Offender Release Notification mandated by Alabama state statute.

II. POLICY

It is the policy of the ADOC to provide notification information, pending the release of convicted sex offenders mandated by the Alabama Sex Offender Registration and Community Notification Statutes (Alabama Community Notification Act), as amended by Ala. Act No. 2005-301, effective 10/1/2005.

III. DEFINITION(S) AND ACRONYM(S)

- A. Alabama Community Notification Act:** The state code of Alabama governing the statutory requirements for making proper notification prior to the release of criminal sex offenders (Reference Code of Alabama, 1975, as amended, § 15-20-20 et seq.).
- B. ADOC Sex Offender Release / Notification System:** The database system for collecting sex offender release and notification information to be electronically transmitted to the Department of Public Safety (DPS).
- C. Adult Sex Offender:** An inmate convicted of a criminal sex offense as a juvenile, youthful offender, or an adult.
- D. Central Records Division:** The Central Records Division (CRD).
- E. Living and Employment Address Notification and Approval Process:** The process, by which institutional classification personnel evaluate the records of criminal sex offenders prior to release, collect the necessary information for making proper notification, obtain approval of intended living addresses, and communicate this information to the CRD.

- F. **Responsible Agency:** The person or government entity whose duty it is to obtain information from a criminal sex offender before release and to transmit that information to police departments or sheriffs responsible for providing community notification. For a criminal sex offender being released from state prison, the responsible agency is the Department of Corrections. For a criminal sex offender being released from a county jail, the responsible agency is the sheriff of that county. For a criminal sex offender being released from a municipal jail, the responsible agency is the police department of that municipality.
- G. **Sex Offender Notification Packet:** A group of documents to be collected and mailed from the releasing institution to the CRD. The packet includes all Sex Offender Notification Worksheet, a current inmate photo, and a current fingerprint card.
- H. **Sex Offender Notification Worksheet:** A form utilized to collect “Living Address” information as well as all other relevant information necessary to make proper notification.
- I. **Sex Offender Release Roster:** A listing identifying those inmates that have been classified as criminal sex offenders and are projected to be released within four months (120 days) from the date of the listing. This listing provides such information as AIS, inmate name, release date, current releasing institution, and whether an approved living address has been provided by the inmate.
- J. **Sexually Violent Predator:** A person, as designated as a sexually violent predator by the sentencing court (transcript must indicate this status), who has been convicted of a criminal sex offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory criminal sex offenses.

IV. **RESPONSIBILITIES**

- A. The Director of CRD is responsible for:
 - 1. Ensuring compliance with this AR.
 - 2. Designating a Sex Offender Notification and Release Coordinator to provide administrative oversight of all procedures.
- B. The Sex Offender Notification and Release Coordinator are responsible for ensuring compliance with the procedures set out in this AR.
- C. The Warden of each correctional institution housing sex offenders is responsible for:
 - 1. Ensuring institutional compliance with this AR.
 - 2. Developing a Standard Operating Procedure (SOP) to implement this AR.

3. Designating an institutional Classification Supervisor / designee to provide oversight of all institutional sex offender procedures.
- D. The institutional Classification Supervisor / designee for each correctional institution housing sex offenders is responsible for ensuring compliance with the procedures set out in this AR.
- E. The Information Systems (IS) Division is responsible for the electronic processing and storage of all relevant sex offender data.

V. PROCEDURES

- A. Within the first 10 days of each month, the CRD Sex Offender Notification and Release Coordinator shall:
 1. Send a reminder e-mail to all Wardens / designees and Classification Supervisors / designees of correctional institutions housing sex offenders to access the Sex Offender Release Roster and to complete the procedures set out in this AR.
 2. Send a courtesy copy of the Sex Offender Release Roster to the Department of Public Safety (DPS).
- B. The CRD Sex Offender Notification and Release Coordinator shall monitor the Sex Offender Release Roster on a daily basis and communicate with designated correctional institutional personnel as necessary to ensure that all outlined procedures are being completed.
- C. The Classification Supervisor / designee shall initiate the “Living and Employment Address Notification and Approval” process a minimum of four calendar months prior to release of each sex offender. The following procedures shall be completed:
 1. The Classification Supervisor / designee shall print the Sex Offender Release Roster and the appropriate Sex Offender Notification Worksheet within the first 5 working days of the month.
 2. The Classification Supervisor / designee shall review the inmate’s institutional file to assess the conviction records and determine the category of sex offender and the appropriate notification procedures to be completed. The categories of sex offenders are:
 - a. Adult Sex Offenders (Section V. D.).
 - b. Adult Offenders identified as “Sexually Violent Predators” (Section V. E.).
 3. A correctional officer and the Classification Supervisor / designee at the releasing institution shall meet with each identified inmate no later than 5

working day after generating the Sex Offenders Release Roster and complete the appropriate “Living and Employment Address Notification and Approval Process” (Section V. C. 2).

4. The Classification Supervisor / designee shall direct the inmate to complete and sign the ADOC Form 455, *Sex Offender Notification Worksheet*.

D. Living and Employment Address Notification and Approval – **Adult Sex Offenders**

1. Within 5 working days of receiving the inmate’s proposed living and employment address, the Classification Supervisor / designee shall:
 - a. Provide, by telephone, the inmate’s proposed living and employment address and all other pertinent information to the local law enforcement authorities of the declared county of residence and employment, if any.
 - b. Complete the “Verification Contact Information” Section of the ADOC Form 455, *Sex Offender Notification Worksheet*.
2. If a provided address is not approved by the local law enforcement authority, the Classification Supervisor / designee shall:
 - a. Complete the “Verification Contact Information” Section of the ADOC Form 455, *Sex Offender Notification Worksheet*.
 - b. Inform the inmate that the provided **living address** was not approved and a new address is required.
 - c. Inform the inmate that the provided **employment name and address** is not approved and a new address is required, if available.
 - d. Direct the inmate to sign and date the ADOC Form 455, *Sex Offender Notification Worksheet*, acknowledging that the original living and / or employment address was not approved.
 - e. Notify the institutional Warden and CRD if the living address and employer name and address is not provided and approved 45 days prior to release.
3. No later than 45 days prior to a sex offender’s release, it is the responsibility of the ADOC to require the inmate to declare, in writing, the actual address at which he or she will reside or live upon release, and the name and physical address of his or her employer, if any. If the inmate fails or refuses to do so, the institutional Warden / designee shall obtain a warrant for the arrest of the offender, for violation of the Alabama Community Notification Act. On the inmate’s date of release, the Warden

/ designee shall remand custody of the inmate to the sheriff or the county in which the violation occurred.

4. If the living and employment address is approved by the local law enforcement authority, the Classification Supervisor / designee shall:
 - a. Enter the applicable data in the fields provided on the DOC Find-Inmate Details, Release screen (Intended Living Address, Employer Information, Offense Information, and Verification Information sections), and transmit this information to the CRD. This is accomplished by clicking on the “Save” button at the bottom of the screen.
 - b. Gather the appropriate records and create the Sex Offender Notification Packet. These records include copies of each ADOC Form 455, *Sex Offender Notification Worksheet* that was completed, a current photo, and a current fingerprint card.
 - c. Mail the Sex Offender Notification Packet to the CRD, Attention: Sex Offender Notification and Release Coordinator.
 - d. Ensure that a copy of the completed Sex Offender Notification Packet is maintained in the inmate’s institutional file.
5. Upon receipt of the Sex Offender Notification Packet, designated personnel within the CRD Notification Release Section shall make the following notifications with 5 business days, including provision of all information and other documents as required by the Code of Alabama Title 15, Chapter 20, Section 22:
 - a. For offenders declaring an intent to reside, live, or be employed **within** the State of Alabama, notification shall be made to:
 1. Attorney General via Attorney General’s Office of Victim Assistance.
 2. Director of Public Safety.
 3. District Attorney of any county declared by the adult offender.
 4. Sheriff of any county declared by the adult offender.
 5. Sherriff of the county of criminal sex conviction.
 6. Chief of Police of any municipality declared by the adult offender.
 7. Alabama Criminal Justice Information Center.

- b. For offenders declaring an intent to reside, live, or be employed **outside** the State of Alabama, notification shall be made to:
 1. Director of Public Safety.
 2. Attorney General or the “designated state law enforcement agency” of the state to which the adult offender has declared his / her intent to move or to be employed in.
 3. Alabama Criminal Justice Information Center.

E. Living and Employment Address Notification and Approval – **Adult Offenders identified as “Sexually Violent Predators”**

Offenders determined to be sexually violent predators by the sentencing court shall be required to complete the same Sex Offender Notification requirements as an adult sex offender (Section V. C. 1-4). A full history of all criminal offenses and documentation of any treatment with other required notification information shall be provided, if available.

F. Escape of Sex Offender – Notification Requirements

1. The institutional Warden / designee shall notify within 24 hours the following:
 - a. Attorney General via Attorney General’s Office of Victim Assistance.
 - b. Director of Public Safety.
 - c. District Attorney of the county of criminal sex conviction.
 - d. Sheriff of the county of criminal sex conviction.
 - e. Chief of Police having jurisdiction at time of criminal sex conviction.
 - f. Alabama Criminal Justice Information Center.
2. The following information shall be provided:
 - a. Offender’s name.
 - b. Aliases.
 - c. Time remaining to serve.
 - d. Nature of crime.
 - e. Fingerprints.

- f. Current photo.
- g. Summary of criminal record.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

ADOC Form 455, *Sex Offender Notification Worksheet*.

VIII. SUPERSEDES

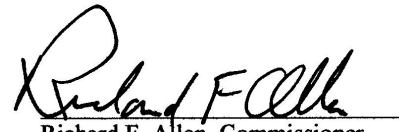
This regulation supersedes AR 455, *Sex Offender Release Notification*, dated February 22, 2007.

IX. PERFORMANCE

- A Code of Alabama, 1975, as amended, 15-20-20 et seq.
- B. AR 403, *Procedures for Major Rule Violations and Minor Infractions (Disciplinary and Behavior Citations)*.

ANNEX ('S):

Annex A – Sample, Central Records Division letter to Sheriff's


Richard F. Allen, Commissioner

Alabama Department of Corrections

SEX OFFENDER NOTIFICATION WORKSHEET

Institution: _____ Submission #: _____ Date: ____ / ____ / ____
 Inmate Name: _____ Race: _____ Sex: _____ DOB: ____ / ____ / ____
 AIS: _____ Release Date: ____ / ____ / ____
 Does sentencing transcript indicate "Sexually Violent Predator"? ☐ Yes ☐ No
 Scars/Marks/Tattoos: _____

Notification of Intended Living Address (45 days Prior to Release)

Street/City/State/Zip: _____
 Phone Number: (____) _____ - _____ County: _____
 Contact (Residency): _____ Relationship: _____
 Employer's Name & Address (if any): _____

I hereby acknowledge that upon my release, I must live and abide according to the laws of the State of Alabama governing my conviction as a sex offender and I understand that I must report and register with the Sheriff of the county of residency within 7 days of my release. I understand that failure to do so can result in a conviction of a Class C Felony. I also acknowledge that if I reside in a state other than Alabama, I must abide by the laws of that state.

Signature: _____ Date: ____ / ____ / ____

Pertinent Information

Brief Statement of Offense: _____

 Location of Offense (State, County, Town): _____
 Age and Gender of Victim (if available): _____
 Victim Name & Address (if available): _____

Verification Contact Information

Contact Name & Agency: _____
 Phone Number: (____) _____ - _____ Date Contacted: ____ / ____ / ____
 Comments: _____

Living Address: Approved ☐ Disapproved ☐ Reason for Disapproval: _____

Employment Address: Approved ☐ Disapproved ☐ Reason for Disapproval: _____

Inmate Notified Date: ____ / ____ / ____ Inmate Signature: _____

Verified by (Please Print): _____

Signature: _____ Title: _____

Date: ____ / ____ / ____

Dist: Central Records Division (original)
 Inmate Institutional File (copy)
 Pardons & Parole, if applicable (copy)

Notification Documents Mailed (Date / CRD Initials)

ADOC Form 455 – April 19, 2007

AR 455 – April 19, 2007

S A M P L E

ADOC LETTER HEAD

April 19, 2007

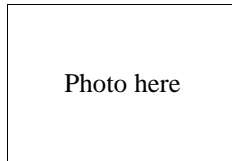
Sheriff _____

Dear Sheriff _____,

The Alabama Department of Corrections, pursuant to Alabama State Code § 15-20-20 et seq., is notifying you that the criminal sex offender identified in this notification letter is being released from our custody.

This is to further notify you that the ADOC has not made a determination as to whether the local community notification statutes apply to this offender.

_____	Race: _____	Sex: _____	DOB: ____ / ____ / ____
(Inmate's name)	SSN: _____ - ____ - ____	AIS#: _____	
	Release Date: _____ / ____ / ____		



Home Address:

Phone #:

Employer Address:

Phone #:

Enclosed is the entire release notification packet as required by law. Should you have any questions concerning this notification packet, please contact the Central Records Division at **(334) 353-3883 / 9739**.

Sincerely,

Kathy Holt,
Central Records Division, Director

cc: Attorney General via Attorney General's Office of Victim Assistance
Director of Public Safety
District Attorney of any county declared by the adult offender
Sheriff of any county declared by the adult offender
Sheriff of the county of criminal sex conviction
Chief of Police of any municipality declared by the adult offender
Alabama Criminal Justice Information Center

Atch: Sex Offender Notification Worksheet
Fingerprint card
Criminal offense history ("Sexually Violent Predator" only, if available)
Documentation of treatment ("Sexually Violent Predator" only, if available)
Annex A – Sample, Central Records Division letter to Sheriff's